

REPENTING AT LEISURE

People Who Swam to Deadwood for Divorces.

'TIS A GREAT INDUSTRY

The Gambling Business Outdone by the Court—A Strange Out-Growth of Modern Society.

A SPECIAL dispatch from Deadwood to the Minneapolis Tribune, says: This is a town which has witnessed a grand transition. The gambling hell is overshadowed by the divorce court. "Dick" Deadwood is replaced by the divorce lawyer, and the quartz mill is less important than the divorce mill. This change has come about gradually. It was a long time before anything like a general movement in the way of divorce seekers settled in towards Dakota. The first comers had other errands, but profited by the very liberal laws and told about it. Others, came then, just for the purpose of securing freedom. Sioux Falls, being better located, was known as a divorce town before Deadwood had reached out for the honor. Sioux Falls was the first point visited by Mrs. Blaine when she came West to get rid of her husband, but for some reason, after a protracted (for a divorce seeker) residence in the former city, she hurried into Deadwood, secured her divorce while she waited, and left. That was the best advertisement Deadwood ever received. Here is information as to how she did it, for those who are afflicted. The laws are so liberal that the early comers in the early days had but slight difficulty in ridding themselves of their innumerable branches in the way of family in the East, and it is by the force of those earlier wife deserters and outlaws that the high society people now profit. It is a long step, but unpleasant matrimonial life, like a touch of nature, makes the whole world kin.

Divorces may be granted for any of these reasons:

- First—Adultery.
- Second—Habitual drunkenness.
- Third—Willful desertion.
- Fourth—Willful neglect.
- Fifth—Conviction of a felony.
- Sixth—Extreme cruelty.

The state explains these acts thus: Adultery is self explanatory; extreme cruelty is defined to be the infliction of grievous bodily injury or mental suffering upon the other by one party to the marriage; willful desertion is a persistent refusal on the part of one of the parties to have reasonable matrimonial intercourse with the other; if one party is induced by strategy or fraud to leave the family dwelling, and, while so absent, if the other party departs, it is desertion by the party practicing the fraud; the husband may choose any reasonable place or mode of living, and if the wife does not conform thereto, it is desertion, or, on the other hand, should the husband select a mode of living grossly unfit and the wife should not conform to it, it is desertion on the part of the husband from the time her reasonable objections are made known to his willful neglect is the neglect of the husband to provide for his wife, he having the ability to do so; willful intemperance is the same the world over. Any of the above causes for separation must continue for one year before they are grounds for divorce.

A party to secure a divorce here must of course have good and sufficient reasons. He must be a bona fide resident of South Dakota for 90 days. This gives the court jurisdiction, and on the strength of an affidavit of such residence the court will grant an order for the service of summons by publication. A duplicate of the summons and complaint will be sent to the defendant in the action, with postage prepaid. Here is where a fraud can be worked on the unsuspecting defendant. The plaintiff can give a wrong address, and the duplicate answer and complaint will never reach the defendant, who, of course, will not know that there is an action pending, and of course no answer can be made.

"Constructive service" by publication is about as thin a subterfuge as can be imagined, as it provides the publication of the notice in a paper which circulates about as much in the neighborhood of the defendant as it does in the moon.

A judgment of divorce cannot be granted by default, but where the defendant fails to appear, either for lack of opportunity or otherwise, the plaintiff goes into court, makes his or her proofs to support the allegations of the complaint, and the record being read on the merits, the court usually grants a decree of divorce. A decree once granted here it is next to impossible to set it aside.

After all the formalities of the summons and complaint, and the evidence having been submitted to the referee in the case, the case goes to "his honor," who may, by his wisdom, hand down his decision one day after, or may be not for two weeks; it all depends on who is the plaintiff and who is the judge.

Deadwood has many advantages which no other city in South Dakota possesses to the divorce seeker. The town is pleasantly situated in a picturesque gulch surrounded by lofty pine clad hills, and is very healthful.

Its hotel accommodations are of the very best, and its people are hospitable. Its divorce mill is always open and the application for a separation is always in order.

There is hardly a lawyer in town now who is not in receipt of letters of inquiry concerning the workings of the law. It looks as though for the future the spring Indian outbreak will be as nothing compared with the marching down of the unhappy "when the roads open." There are now awaiting trial 17 cases, and Chicago is fearfully distanced.

WHERE GRIT TAKES THE CAKE.
Sketch of a Career Characteristic of the Great West.

From the Omaha Bee.

The financial collapse of the Blue Bird mine in Butte, Mont., two weeks ago, was followed sharply by the suicide of the principal owner of the property, Ferdinand Suydam Van Zandt, in a London hotel. It is generally believed the immediate cause of self-destruction was his reverses in Butte, but there must have been other causes, for Van Zandt had ready means and resources far exceeding the amount involved in the Blue Bird collapse.

Horse gulch, and subsequently general manager. During this period in 1873 a rival mine attempted to cut into the Adelaide claim, the raiders supposing they could bluff the tenderfoot. Van Zandt barricaded the mine, marshaled his men and completely outflanked the enemy.

While in Leadville he was visited by a New York friend named Potter, who started for the interior of Mexico and disappeared. Potter's relatives wrote to Van Zandt at Leadville and he left to follow up the trail of the missing man. Van Zandt found that Potter had incautiously displayed a large roll of bills at Albuquerque, and some distance outside the town had been waylaid by three Mexicans, who killed him for purposes of robbery. Vigorous and fearless, Van Zandt apprehended two of the miscreants and brought them to Albuquerque. As soon as the facts were known there a wagon and a couple of ropes were secured and summary justice was administered to the murderers of Potter. Their dead bodies were swinging from a telegraph pole within a few hours of their being brought into the town by Van Zandt.

After leaving Leadville in 1882, Van Zandt went to London and was remarkably successful in unloading mining properties on the English millionaires. He cleared a commission of \$100,000 in his first deal and gave \$30,000 to a friend who favored him with letters of introduction to London people. It was through the acquaintance thus formed that Van Zandt met his wife. She had been Amy Harriet Lubbock, eldest daughter of Sir John Lubbock, by his first wife. In March, 1877, she was married to Andrew Walter Mulholland. During the honeymoon she was taken ill with Roman fever in the Eternal City, and just as she was recovering her husband was taken sick and died. That was about three months before the wedding. Mrs. Mulholland became Van Zandt's wife in 1884.

Meanwhile his fortunes had risen steadily. The commission on the sale of the Utah property was the first large amount ever received. He secured the services of a former foreman and sent him into Montana to look after promising mining properties. This man found the famous Blue Bird mine. He recommended Van Zandt to buy it, and the bargain was quickly closed. The Blue Bird developed rapidly, being what is called in the vernacular "a whale." The mine was soon paying over \$50,000 a month to Van Zandt. The Blue Bird was in the same country as the Anaconda, the Alice and other famous copper mines. Its output at times rose to \$25,000 a week, and it still well up in the list as a producer, the output for the week ending February 27 having been \$14,992.

Van Zandt's romantic career in the mining countries of the West was so remarkable as to secure embodiment in literature. He was the hero of Mrs. Foote's well known story of "The Led-Horse Claim," which, after magazine popularity, was published in book form, and he sat for the illustrations which adorn the work. He was about 35 years of age at the time of his death. He never drank, and all who knew him say he was a man of cheerful and amiable disposition.

TWO OLD-TIMERS GONE.

Ab Gentry and Ned Whipple Die on the Same Day.

Two old-time sporting men, men whose names are known in almost every city and town in California and Nevada, played their last card yesterday, says the San Francisco Examiner.

Ab Gentry, who has lived in California and Nevada for thirty years or more, died about noon, while at 6 o'clock the same morning Ed Whipple, or "Ned," as he was known by thousands, passed away after a long illness.

Gentry was sick but a few days. It was on Friday last that he was stricken down with paralysis. Sunday morning he felt much better and attempted to leave his bed. By a great effort he managed to reach the side of the bed. A second stroke of paralysis followed and death came the next day.

Perhaps few men were better known among the sporting fraternity than Ab Gentry. It was just after the breaking out of the civil war that Gentry made his appearance in Virginia City. He was quite a young man then. He was a gambler and at once opened a sporting house that in later years became widely known as the Washoe Club. There, in the fresh days on the Comstock, Gentry, like thousands of others, made and lost and gave away a dozen fortunes.

"His hand was always in his pocket and he never refused a man a dollar in his life," said one man in speaking about the dead man last night; "and you can say that in many a town in this state and Nevada, when the news of Ab Gentry's death is known, there will be more sincere sorrow and more genuine regret expressed than the taking away of most men would cause."

In Virginia City and in this state, Gentry led the life of the sporting man; he was a gambler, a worth a fortune, the next morning he was without a cent. But he always made good his word, and in those times his word was as good as thousands of dollars in bank notes. When he left Virginia City he came here, and in partnership with a man named Robinson he opened a sporting house. His fortunes varied, but the end found him like most all the old-timers, whose hearts are too large for their pockets, "broke" as far as this world's goods go, but rich in the possession of a few faithful friends, who were in a position to assist him, just as he had assisted hundreds of others. So when the end came shortly before noon yesterday, there were kind friends around his bedside.

He had one brother, Dick Gentry, who is now in the East. The funeral will probably take place to-morrow.

E. K. Whipple, the other old-timer who has solved the great mystery, came here in 1849. He was the last of the Whipples. There were three brothers, Steve, Al and Ed. In the early days they were, as one old-time faro dealer said last night, "the only sports worth anything in the place." They made money, and piles of it, and cared about as much for it as the average sports in those days. A story Jim Orndorff told of Ed Whipple last night illustrates the value he placed on money.

"One day," said Orndorff, "a friend of Ned's went to him and told him that he could make a pile of money if he would let something to operate with. He was asked how much, and replied that he could handle himself with \$20,000. Whipple gave him the money first without a bit of paper passing between the men, and then asked him what he wanted to do with it. 'Buy wheat,' was the reply. Soon after the man came back to Whipple and told him that the venture had been a failure. Whipple wanted to know what had become of the wheat, and his friend told him the rats had eaten it. 'What rats eat \$20,000 worth of wheat?' 'Yes, that's what they did.' 'Well, all I've have got to say is that those rats must have had blanked good appetites,' was the only thing Whipple had to say over the loss of \$20,000."

The old steamboat S. M. Whipple—the one that had a steam collapse as an attraction for passengers—was the property of the Whipples. Ed was the captain, and many a man who rode up and down the Sacramento river in those days will remember him as the hospitable captain of

a craft on which more was to be had for less money than on opposition days have since developed.

He, like Gentry, though possessed of a dozen or more fortunes during his lifetime, died poor. He lived at 1,144 Howard street.

He Was Stringless.

We were camped on the Bear river, in Eastern Utah, when a prospector came along one morning on a mule. He had his jaw tied up and at first he seemed inclined to pass on without a word. On second thought, however, he halted and gruffly queried:

"How far to Salt Lake?"
"Three hundred miles."
"Humph!"

"Traveled far?"
"About 200 miles."
"Get your jaw hurt?"

"No. It's just an infernal toothache, and I'm a-riding 300 miles to get it pulled. We invited him down, and one of the crowd got a piece of string around the tooth and jerked it out as slick as you please. After the overjoyed man had ceased dancing about I queried:

"Why didn't you try the string before starting out on such a long ride?"
"Best kind of reason, sir. I hadn't nary string to try."

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